

HAMILTON COUNTY BOARD OF COMMISSIONERS
DECEMBER 13, 2004

The Hamilton County Board of Commissioners met on Monday, December 13, 2004 in the Commissioners Courtroom in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana. The Commissioners met in Executive Session in Conference Room 1A from 1:10 pm to 2:05 pm. President Dillinger called the public meeting to order at 2:07 pm and declared a quorum present of Commissioner Christine Altman, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt. The Pledge of Allegiance was recited.

Executive Session Memoranda

Holt motioned to approve the December 13, 2004 Executive Session Memoranda. Altman seconded. Motion carried unanimously.

Approval of Minutes

Holt motioned to approve the November 22, 2004 minutes. Altman seconded. Holt and Altman approved. Dillinger abstained.

Plat Approvals

Park Northwestern Lot 4 Replat

Marina Village Block E Secondary Plat

Chateaux De Moulin

Mr. Steve Broermann presented the plats for Park Northwestern Lot 4 Replat, Marina Village Block E Secondary Plat and Chateaux De Moulin for approval. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Highway Business [2:11:17]

Acceptance of Bonds/Letters of Credit - Highway Department

Mr. Jim Neal requested acceptance of Bonds and Letters of Credit for the highway department. 1) HCHD #B-04-0110 - Capital Indemnity Corporation Performance Bond No. C791728 issued on behalf of Yardberry Landscape and Excavating, inc. in the sum of \$49,450.00 for gabion installation on Bridge #242 (Springstone Road over Bee Camp Creek) to expire November 15, 2006. 2) HCHD #B-04-0111 - Capital Indemnity Corporation Payment Bond No. C791728 issued on behalf of Yardberry Landscape and Excavating, Inc. in the sum of \$49,450.00 for gabion installation on Bridge #242 to expire November 15, 2006. 3) HCHD #B-04-0112 - Auto Owners Insurance Company Surety Bond No. 0477026290653 issued on behalf of Matthew F. Viehe in the sum of \$5,000 for a driveway permit to expire October 1, 2006. Bond Rider attached. 4) HCHD #B-04-0113 - Safeco Insurance Company Performance Bond No. 6289995 issued on behalf of 116th & Olio, LLC in the sum of \$5,000 for right of way for acceleration & deceleration lane construction on Olio Road (550' south of 116th Street) for construction of entrance to retail center to expire November 9, 2006. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit - Highway Department

Neal requested approval of the release of Bonds and Letters of Credit for the highway department. 1) HCHD #B-03-0154 - Erie Insurance Company Permit Bond No. Q956270117 issued on behalf of Beaver Air, Inc. for driveway cut @ 20755 Riverwood Avenue. 2) HCHD #B-03-0167 - Bond Safeguard Subdivision Bond #5004976 issued on behalf of Dura Development Corporation for asphalt surface in Guilford Park - Phase Two. 3) HCHD #B-03-0168 - Bond Safeguard Subdivision Bond #5004977 issued on behalf of Dura Development Corporation for curbing, asphalt base and binder in Guilford Park - Phase Two. 4) HCHD #B-03-0169 - Bond Safeguard Subdivision Bond #5004979 issued on behalf of Dura Development Corporation for asphalt surface in Guildford Park - Phase One. 5) HCHD #B-03-0170 - Bond Safeguard Subdivision Bond #5004980 issued on behalf of Dura Development for curbing, asphalt base and binder in Guilford Park - Phase One. 6) HCHD #B-01-0078 - American Motorist Insurance Company Performance Bond #3SM004676 issued on behalf of Dura Development Corporation for curbing, asphalt base and binder in Phase One, Guilford Park. 7) HCHD #B-01-0079 - American Motorist Insurance Company Performance Bond #3SM004675 issued on behalf of Dura Development Corporation for asphalt surface in Guilford Park, Phase One. 8) HCHD #B-01-0081 - American Motorist Insurance Company Performance Bond #3SM004673 issued on behalf of Dura Development Corporation for curbing, asphalt base and binder in Guilford Park, Phase Two. 9) HCHD #B-01-0082 - American Motorist Insurance Company Performance Bond #3SM004672 issued on behalf of Dura Development Corporation for asphalt surface in Guilford Park, Phase Two. 10) HCHD #B-00-0136 - Developers Surety and Indemnity Company Bond No. 886086C issued on behalf of Pittman Partners. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Refund of Escrow

Neal stated the county made claim on Letter of Credit, HCHD #L-01-0003, three years ago and deposited the proceeds into an escrow account to cover the maintenance bond for Calumet Subdivision. The maintenance period has passed and everything has been taken care of. Neal requested release of the escrow account to Lanoir Development Company. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Agreements [2:13:08]

Commerce Drive/Augusta Drive Extension & 96th Street Improvements

Neal requested approval of Local Funded Engineering Agreement, HCHD #E-04-0014, with The Corradino Group for Commerce Drive/Augusta Drive Extension and 96th Street Improvements. Neal requested approval of the agreement with the exception of Items A.2.e. Right of Way Engineering, which we will negotiate and come back with a supplement at a later date. The not to exceed amount is \$314,150.00. Holt motioned to approve. Altman seconded. Motion carried unanimously.

146th Street Extension Agreement - Signals & Lighting

Neal requested approval of Agreement, HCHD #E-04-0015, with First Group Engineering for the signals and lighting on the 146th Street Extension. The not to exceed amount is \$74,300. Holt motioned to approve. Altman seconded. Altman suggested that before the contract is turned in the non-applicable paragraphs be stricken. Motion carried unanimously.

116th Street and Ditch Utility Agreement

Neal requested approval of Utility Reimbursement Agreement, HCHD #M-04-0043, with Vectren Energy for 116th Street and Ditch Road. The not to exceed amount is \$31,790. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Acceptance of Right of Way [2:16:22]

151st Street and Towne Road

Neal requested approval of the Dedication of Public Right of Way from Central Christina Church of Carmel at 151st Street and Towne Road. They are dedicating a 60' half right of way on Towne Road and a 40' half right of way on 151st Street. Holt motioned to approve. Altman seconded. Motion carried unanimously.

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Community Hospitals

Neal requested approval of the Dedication of Public Right of Way from Community Hospitals of Indiana, Inc. for 70' half right of way across their property frontage on the east side of Olio Road at 131st Street. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Concurrence with Traffic Study Correspondence [2:17:32]

Neal requested approval of the list of correspondence concerning investigations of requests for signage on Hamilton County Roads. Altman motioned to approve. Holt seconded. Motion carried unanimously.

2005-2008 Bridge Inventory Request for Proposals

Neal requested approval to advertise for bridge inventory and inspection services for 2005-2008. Holt motioned to approve. Altman seconded. Motion carried unanimously.

GPS System for Highway Department Trucks

Mr. Brad Davis stated at the last meeting we heard a presentation from Lighting 2-Way Radio for a GPS System for the highway trucks. Davis stated they visited Hamilton Southeastern Schools Transportation Department and have met twice with the ISS Department and Lighting 2-Way Radio. Davis stated when they spoke with the HSE employee that actually uses the system the highway department was not pleased with the mapping system. The maps are updated every 1 ½ years and there were no corporate boundaries on the map. The system is not the most user friendly. Davis stated they are recommending not to proceed with this system. Davis stated there is a lot of interest for a county wide GPS system.

Highway Storage Building

Davis stated he has spoken with the designer of the highway storage building to find out why the bids were over the architect's estimate. Some of the reasons are that the architect was overly optimistic, materials and labor costs are increasing general contractors have stated that the sub-contractors and material suppliers are padding their prices due the uncertainty of the raising steel prices. The architect was comparing our building with a similar building ACE did in another county in Indiana and the labor rates were a little lower than ours. The prices we received were good. Another factor was the unionized rate as opposed to the non-unionized rate, which added to the costs. Davis stated this is on hold and we will have to go back to council for an appropriation. Altman stated the council can not do an additional appropriation until March 2005.

2005 Highway Meeting Schedule

Davis requested approval of the 2005 Commissioners Highway Department meetings. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Highway Bill

Davis stated there was an article in the newspaper about the extension of the Federal Highway Bill. The article indicated an additional \$1 million for Hamilton County. Dillinger stated it is actually \$3 million and it was a special appropriations bill which is earmarked. Dillinger stated we still think we can get the money out of the transportation bill, but that bill has not come up. It was supposed to have been signed by the President on December 6th. Altman stated it went back to Congress on December 6th and they stripped out the offending portion and she has not been able to track it. Altman stated there are two separate earmarks, one for \$1 million and the other for \$2 million, both are for the 146th Street Extension.

Parks Department Grant Application [2:26:24]

Mr. Al Patterson stated Washington Township Parks and Recreation Department approached the Parks Board and asked if the Board would be an initiating agency for a grant. Washington Township would like to submit a grant application to complete the section of the Monon Trail from 191st Street to 206th Street. Washington Township can not apply for the grant on the township level. Washington Township has the funding and is ready to proceed. Steve Andrews is in the process of putting together an interlocal agreement between the Hamilton County Parks Department and Washington Township to make sure we have no financial responsibilities or project management responsibilities. In order to apply for the grant we need the county commissioners approval and signature. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Handbook Revisions [2:29:41]

Ms. Sheena Randall stated she has been working with Kent Irwin on handbook revisions. Mr. Irwin had a couple of items of concern and he requested additional time for research. All the information will be forwarded to the commissioners when it is completed.

Augmentin Class Action Suit [2:29:21]

Mr. John Elmer stated Nyhart has asked if Hamilton County would like to be involved with them in a class action lawsuit against GlaxoSmithKline concerning Augmentin. GlaxoSmithKline extended Augmentin's patent longer than they were supposed to. The county can pay Nyhart \$50.00 to be included in their class action lawsuit. \$13 million has been set aside by GlaxoSmithKline for settlement costs. The county spent \$53,000 on Augmentin. Holt motioned to join Nyhart in their claim. Altman seconded. Motion carried unanimously.

Flexible Spending Account

Elmer stated the Insurance Committee has reviewed several employee requests to increase the amount that employees can allocate to their Flex Plan to \$4,000. Elmer requested signatures on the second amendment to the Section 125 Benefits. Randall stated there is HIPPA language that needs to be included in the flex document beginning April 20, 2005. Holt motioned to approve the HIPPA language that has been included in our document. Altman seconded. Motion carried unanimously.

HIPPA Election for Exemption

Elmer stated the county has elected to be exempt from certain HIPPA requirements. Elmer requested approval and signatures on the Election for Exemption. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Dillinger called a recess in the meeting. [2:36:57]

Dillinger called the meeting back to order. [2:55:43]

INDOT Grant Agreement

Neal requested approval of the Grant Agreement with INDOT in the amount of \$1,700.77 for passive grade crossing funds. The grant funds will replace Stop signs and advanced warning signs for all the rail crossings in our jurisdiction. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Ordinance 12-13-04-C, Food Ordinance

Mr. Barry McNulty requested approval of Ordinance 12-13-04-C, Retail Food Establishment And/Or Bed and Breakfast Establishment Ordinance. McNulty stated this ordinance is due to the State Department of Health adopting a new administrative code dealing with food. This will bring our ordinance up to current inspection standards. Holt motioned to approve. Altman seconded. Motion carried unanimously.

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Commissioner Committee Reports [2:59:06]

Legal Representation

Altman stated at the December Council meeting we presented a resolution to increase the fees available for legal representation in the amount of \$40,000. That resolution was adopted by Council. We can not have an additional before March 2005 but that gives Mr. Howard lead time to secure additional help. Howard stated the contract will provide pro-rating the \$40,000 to a monthly allocation. The contract will be before the Commissioners at their January meeting.

Regional Transit Authority

Altman stated she attended her first meeting as an entity of the Regional Transit Authority. They are discussing rotating meeting places. Current representation is the union representative of IndyGo, the President of IndyGo, the temporary chairperson is a businessman whom is on the Board of IndyGo, Anderson/Madison County had a representative present. They hope to have complete representation in February.

Riverview Hospital

Altman stated the Riverview Hospital Counsel has approved the concept of a RFP to replace the paramedic program. We are in the process of having the RFP finalized. John Culp had a conflict of interest so the Counsel temporarily employed Anne Poindexter to put together the RFP. The time frame has been pushed back so the RFP will not be out until mid-month with the RFP to be submitted by the end of January.

Attorney [3:02:38]

Juvenile Detention Center Escrow Agreements

Howard requested approval of Retainage Escrow Agreements for the Juvenile Detention Center. The agreements are for Crown Corr, Inc. With Mercantile National Bank; Midwest Maintenance and Construction with Lincoln Bank; and James Babcock, Inc. with Irwin Union Bank. Altman motioned to approve. Holt seconded. Motion carried unanimously.

Liability Trust Claim

Howard stated Alternative Services Concept (ASC), administrators of our liability plan, have settlement authority up to \$5,000. There is an automobile damage claim in the amount of \$20,590. Howard requested authorization for ASC to resolve this issue in excess of their base amount up to \$20,590. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Ordinance 12-13-04-A, Sheridan Interlocal Agreement

Howard requested approval of Ordinance 12-13-04-A, An Ordinance of the Board of Commissioners of Hamilton County Authorizing the Execution of an Interlocal Agreement with the Town of Sheridan. There is \$201,794 remaining in the funding that the county has put forward for land acquisition for the construction of Lamong Road from 236th Street to 246th Street. Under this agreement Sheridan would undertake the project, the county would pay for the land acquisition and design costs incurred by Sheridan. The Sheridan attorney is aware that the county had programmed this project as a federal aid project and if they were going to keep it as a federal aid project they would have to go through federal land acquisition. It is Howard's understanding that Sheridan does not want to wait that long, they want to get the project moving. Holt motioned to approve. Altman seconded. Motion carried unanimously. Davis asked if by chance the county would get federal aid for this project, would we have an interlocal agreement to allow us to get the money or would we deny the money? Howard stated if that money is awarded before Sheridan does anything we will deal with it then. We have the interlocal agreement so the money can be encumbered. Altman asked Davis to prepare a cover letter to Sheridan of the timeline when the plans were transferred so they are aware of exactly what we have done.

Ordinance 12-13-04-B, Carmel Interlocal Agreement

Howard presented Ordinance 12-13-04-B, An Ordinance of the Board of Commissioners of Hamilton County Authorizing the Execution of an Interlocal Agreement with the City of Carmel. The agreement is concerning the improvements to the intersection of 116th Street and Springmill Road. There are funds in the amount of \$284,000 for construction and \$39,335 for right of way purchases. Since the initial start of the project contiguous land uses have substantially changed whereby the two acres that were going to be acquired will consume our previous budget. This agreement transfers those funds to Carmel. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Administrative Assistant [3:10:54]

2004 General Election Report

Swift presented the 2004 General Election Report from Kathy Richardson.

Swearing-In Ceremonies

Swift stated the Swearing-In Ceremonies for the new public officials will be December 21, 2004 at 6:30 p.m. in the Historic Courtroom. December 22, 2004 is the training session and luncheon at the 4-H Fairgrounds at 12:00 noon.

Red Cross Property

Swift stated we do not have the appraisals for the Red Cross property. Howard stated we expect a verbal appraisal next week. Swift asked if he should ask the Red Cross to wait another week? Holt asked if it would make sense to get the verbal appraisal and get it on the council agenda? Altman stated they can do the resolution for land acquisition, she will explain it to the council at their January meeting. Altman motioned to carry the verbal appraised value on the council agenda for resolution. Holt seconded. Motion carried unanimously.

Dog Tax and Breeders License [3:14:50]

Holt stated when the animal taskforce gave their report, two of the things that were left in a state of flux was the amount that a breeders license would cost and if there was going to be an increase in the county dog tax to help fund animal control. Holt stated regarding the breeders license there is no breeder's license nor fee connected with it at this point of time. It is logical to move forward. Swift stated the Township Assessors have never been informed of their obligation regarding the breeding licenses. Swift stated we need to speak specifically with the Assessors. Holt volunteered to get a matrix of what other counties are doing. We can include Judy Levine and bring back a proposal to the January meeting regarding licensing costs. Altman and Dillinger agreed.

Master Gardeners Storage Barn [3:18:29]

Mr. Scott Warner stated the Master Gardeners at the 4-H Fairgrounds have requested permission to build a small storage barn at their expense and then donate the barn to the county. The barn will be for their use as long as they remain an organization. There is a question regarding how they would insure the building if the ownership is transferred to the county. Warner asked if it is acceptable to build the building and then turn the ownership over to the county? Will the county insure the building? Master Gardeners would insure the contents. Dillinger stated if the building is given to the county the county's insurance will cover it. Altman asked if there are plans that will match the current buildings? Warner stated it will match the other buildings exactly. Altman asked where will it be located? Warner stated west of the Swine Barn. Warner stated the 4-H Buildings and Grounds Committee did approve the request. Holt stated he thinks it is fine

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but is concerned about a future master plan that has another idea for the footprint of where the building sits. Holt stated we need language in the agreement that we may have another use for the footprint at that site. Warner stated the building will be able to be relocated. It would be appropriate to include that language to make sure they know the county can move the building at their discretion. Howard asked Warner to meet with him to draft a letter for the commissioners to sign approving location, conditions of removal, etc. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Surge Arresting

Warner stated Cinergy will begin the surge arresting project tomorrow.

Chiller Retrofit

Warner stated the Chiller Retrofit project will go to bid this week, with bids being opened January 10, 2005.

Sheriff [3:22:50]

M/A-Com System Maintenance Agreement

Sheriff Doug Carter requested approval of the System Maintenance Agreement between the county and M/A-Com, Inc. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Auditor [3:24:34]

Soil and Water Memorandum of Understanding

Ms. Robin Mills requested approval of the Memorandum of Agreement Between Hamilton County Soil and Water Conservation District and Hamilton County Board of Commissioners. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Household Hazardous Waste 2005 Interlocal Agreement

Mills requested approval of the 2005 Interlocal Agreement between the Hamilton County Health Department, Hamilton County Solid Waste Board and Hamilton County Commissioners for the household hazardous waste facility. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Liability Trust Claim

Mills requested approval of a Liability Trust Claim in the amount of \$17,358 for the lighting damage to the cell tower. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Clerk's Monthly Report

Mills requested acceptance of the Clerk of the Circuit Court Monthly Report for October 2004. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Treasurer's Monthly Report

Mills requested acceptance of the County Treasurer's Monthly Report for November 2004. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Juvenile Accountability Block

Mills requested approval of the Indiana Criminal Justice Institute Juvenile Accountability Block Grant Program Grant Award Letter. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Acceptance of Bonds/Letters of Credit - Drainage Board

Mills requested acceptance of Bonds and Letters of Credit for the Drainage Board. 1) HCDB-2004-00093 - Fidelity and Deposit Company of Maryland Subdivision Performance Bond No. 08724268 for Cass Estates - monumentation improvements - \$3,060. 2) HCDB-2004-00093A - Fidelity and Deposit Company of Maryland Subdivision Performance Bond No. 08724268 for Cass Estates - monumentation improvements - \$3,060. (Rider changing Name of Obligee from Hamilton County Drainage Board to Hamilton County Commissioners.) 3) HCDB-2004-00094 - Fidelity and Deposit Company of Maryland Subdivision Performance Bond No. 08724267 for Cass Estates erosion control improvements - \$53,805.60. 4) HCDB-2004-00094A - Fidelity and Deposit Company of Maryland Subdivision Performance Bond No. 08724267 for Cass Estates erosion control improvements - \$53,805.60. (Rider changing Name of Obligee from Hamilton County Drainage Board to Hamilton County Commissioners.) 5) HCDB-2004-00095 - Fidelity and Deposit Company of Maryland Subdivision Performance Bond No. 08724266 for Cass Estates storm sewer improvements - \$405,505.20. 6) HCDB-2004-00095A - Fidelity and Deposit Company of Maryland Subdivision Performance Bond No. 08724266 for Cass Estates storm sewer improvements - \$405,505.20. (Rider changing Name of Obligee from Hamilton County Drainage Board to Hamilton County Commissioners.) Holt motioned to approve. Altman seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit - Drainage Board

Mills requested the release of Bonds and Letters of Credit for the Drainage Board. 1) Fidelity and Deposit Company of Maryland Subdivision Bond for Village Farms, Section 15 monuments and markers - \$2,000. 2) HCDB-2003-00012 - Gulf Insurance Company Performance and Payment bond No. B2 1873922 for Lakeside Park Sec. 1 Sec. 1 and II erosion control - \$53,972. 3) HCDB-2003-00012A - Gulf Insurance Company Performance and Payment Bond No. B2 1873922 for Lakeside Park Sec. 1 Sec. 1 and II erosion control - \$53,972. (Rider adding name of Lakeside Park I and II to Surety.) 4) HCDB-2003-00014 - Gulf Insurance Company Performance and Payment Bond No. B2 1873919 for Lakeside Park Sec. 1 and II - Offsite Storm RCP - \$78,348. 5) HCDB-2003-00014A - Gulf Insurance Company Performance and Payment Bond No. B2 1873919 for Lakeside Park Sec. 1 and II - Offsite Storm RCP - \$78,348. (Rider adding name of Lakeside Park I and II to Surety.) 6) HCDB-2003-00016 - Gulf Insurance Performance and Payment Bond No. B2 1873917 for Lakeside Park Sec. I and II - Section One Storm RCP & Subsurface Drains - \$268,156. 7) HCDB-2003-00016A - Gulf Insurance Performance and Payment Bond No. B2 1873917 for Lakeside Park Sec. I and II - Section One Storm RCP & Subsurface Drains - \$268,156. (Rider adding name of Lakeside Park I and II to Surety.) 8) HCDB-2003-00048 - Safeco Insurance Company of America Subdivision Bond No. 6223330 for The Ridge at Hayden Run, Sec. 1 - Storm Sewer - \$153,287.57. 9) HCDB-2003-00049 - Safeco Insurance Company of America Subdivision Bond No. 6223331 for The Ridge at Hayden Run Sect. 1 - Erosion Control - \$51,256.65. 9) HCDB-2003-00050 - Safeco Insurance Company of America Subdivision Bond No. 6223332 for The Ridge at Hayden Run, Sec. 1 - Monuments and Markers - \$2,250. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Payroll Claims

Mills requested approval of Payroll Claims for the period of November 8-21, 2004 paid December 3, 2004. Holt motioned to approve. Altman seconded. Motion carried unanimously. Mills requested approval of Payroll Claims for the period of November 22-December 5, 2004 paid December 17, 2004. Holt motioned to approve. Altman seconded. Motion carried unanimously.

Vendor Claims

Mills requested approval of Vendor Claims to be paid December 14, 2004. Mills stated there is the claim held from last meeting for the Surveyor that will need approved. Holt motioned to approve. Altman seconded. Altman stated

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we need to look at our reimbursable policy. In terms if there cost savings to the county, under what conditions they are exercised, etc., so we don't have questions between departments and the Auditor's office. It is not fair to the Auditor's office to take the heat on the claims. It should be our policy. Motion carried unanimously.

Animal Control Facility Design [3:30:18]

Mr. Frank Hinds presented and discussed the revised floor plan for the animal control facility. The first function of the facility is for the public to enter the facility with the intent of adoption of an animal. A secondary function would be for the receipt of voluntary surrender animals. The third function is the spay-neuter clinic. The fourth function is for the animal control officers during and after hours. With the revised plan the total adoptable pen area would enable the Humane Society to handle a maximum amount of 184 cats and dogs. The total capacity is 365 animals in the entire facility, including all pens available. Holt asked what is the estimate on the revised plan? Mr. Larry Dawson stated they are still operating on the same budget. This layout could come in on budget with the right finishes. Discussion of specifics of the design followed. Ms. Joy Slowitsky, 14 Hawthorne Court, Carmel, stated she does not see any windows on the building. Hinds stated this plan is the schematic design to locate spaces. The exterior is undefined at this time, there will be windows as the plan develops. Mr. Dave Sanders, Humane Society, stated this plan is ok with the exception of putting holding cages in the sallyport. There is concern that the area will be hard to air condition. There is still an issue with the one shared lobby, the traffic patterns will probably not work very well with an influx of animals from the clinic and the humane society. It will be chaotic at some points. The biggest thing is the way the pens are set up. Sanders asked if a guillotine door could be put on the side of the cages?. It will be extremely tough to get an animal from cage 1 in to cage 2 with another animal, clean the cage, clean the kennel, dry the kennel and bring that dog back in and then go to cage 3 and repeat the process. Hinds stated the actual definition of the pen partitions is something that we would investigate during design development. The commissioners had a consensus for some kind of system for cleaning the pens. Hinds stated we see the sallyport area as a temporary holding area, in most cases it is after hours. During operational hours it would be a place to hold the animal until someone has a chance to transfers the animals in to the holding area. Sanders stated if it is short-term that is fine. He does not want an animal lingering in the sallyport. Hinds stated the intent of the sallyport is for a short-term stay. There will be ventilation and some radiant heat. Mr. Bruce Breeden stated the vestibule lobby can not be changed and remain on budget. Hinds stated regarding the traffic pattern, the morning would be a very busy period, during regular operating hours most animals are in cages or being processed through the procedures. At the end of the day receiving will get busy. Sanders stated with some very minor changes the humane society would be satisfied with this plan.

Ms. Tammy Sollenberger, Low Cost Spay-Neuter Clinic, stated the plan has been improved. They are happy with the increased cage space and restrooms that are closer to the clinic. At the last meeting we discussed locating their office closer to the clinic and she does not see that change. Sollenberger recommended a second door in the exam room so dogs will not have to be taken through a cat room. The plan does not show sinks, counter, cabinets, etc. Hinds stated the office area has not been relocated, it would be very problematic to accomplish that. Sinks, plumbing, cabinets will be refined during design development. We anticipated the cabinetry being built in. An extra door to the exam room could be accomplished but a couple of pens may be lost. Holt asked about moving an office area closer to the spay-neuter clinic? Hinds stated we don't have an area on that side of the building that could accommodate an entire office. At best we could find a room or area such as the break room, trade an office area with the break room. Hinds stated if it would be viable to move the break room up front, then the office could be relocated.

[4:02:17] Altman motioned to approve the footprint of the building as presented, subject to minor modification but to proceed to final design. Holt seconded. Dawson stated he believes we have a footprint that we can build. Dawson stated as we go through the design process, everybody needs to understand that just because we started design we still have a budget that controls and the budget will control. We will estimate that and try to keep the project inside the budget even though it may hurt some people's feelings in what they do or do not get. The budget will control this project. Altman stated it is important to understand that we need to take control of the project to control design costs. It would be appropriate to have the two operating entities filter their requests through the commissioners for our consideration before we spend additional design costs. Motion carried unanimously.

Operating Agreements

Holt asked Howard where the operating agreements are with both entities? Howard stated we have received the humane society comments from their counsel. He has not started a draft agreement with the spay-neuter clinic. He will begin working on those drafts immediately. Holt asked if we could have the drafts for the first meeting in January? Howard agreed. Altman asked if the intent on the agreements is to have separate operating agreements with each entity with clauses of mutual sharing within those agreements? Howard stated there will be Area A - humane society area, Area B - spay-neuter area and Area C - common areas.

Veterinarian Proposal Letter

Holt asked Swift to respond to the letter from the local veterinarians and ask them to come to the January 10th meeting.

Long Distance Phone Calls

Dillinger asked if the memo from BJ Casali regarding employee's long distance phone calls was addressed at the last meeting? Holt stated no. Altman stated we need a policy that no long distance personal calls are made at the office. Altman stated it should be disciplinary action if we have a policy that they are not abiding by. Holt asked Swift to contact Sheena Randall to revise the policy and bring it to us in January.

Altman motioned to adjourn. Holt seconded. Motion carried unanimously.

Commissioners Correspondence

Long Distance Phone Calls Memo - B.J. Casali

Bridge #110 IDEM Letter from Beam Longest and Neff

Notice of Public Hearing - City of Noblesville

IDEM Notice of Sewer Permit Applications:

Glen Oaks Subdivision - Carmel

Maple Knoll, Section Two - Westfield

St. Vincent MOB - Carmel

Waterman Farms, Section 2 - Noblesville

Cherry Tree Meadows, Section 5 & 6 - Noblesville

Sand Creek Overlook, Block 3 - Fishers

City of Carmel SR 56 Sanitary Sewer Improvements - Carmel

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IDEM Notice of Approval

Clarian Hospital

IDEM Notice of Appeal Rights

Briarwood and Wintergreen Utilities Project - Carmel

Glen Oaks Subdivision - Carmel

Brookside Subdivision, Section 4A - Westfield

Maple Knoll, Section Two - Westfield

Sand Creek Overlook, Block 3 - Fishers

Certificate of Insurance

RDJ Custom Homes, Inc.

Perma Glass Corporation

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Present

Christine Altman, Commissioner
Steven C. Dillinger, Commissioner
Steven A. Holt, Commissioner
Robin M. Mills, Auditor
Kim Rauch, Administrative Assistant to Auditor
Fred Swift, Administrative Assistant to Commissioners
Michael A. Howard, Attorney
Doug Carter, Sheriff
Brad Davis, Highway Director
Jim Neal, Highway Engineer
Virginia Hughes, Administrative Assistant to Highway Engineer
Amber Emery, Highway Public Service Representative
Steve Broermann, Highway Technical Engineer
Christopher Burt, Highway Staff Engineer
Tim Knapp, Highway Right-of-Way Specialist
Joel Thurman, Highway Project Engineer
Matt Knight, Highway Staff Engineer
Mike McBride, Small Structure Staff Engineer
Faraz Kahn, Highway Department
Kathy Howard, Highway Department
Bob Davis, Highway Superintendent
Floyd Burroughs, FEBA
Don Knorr, Strand Assoc. Inc.
Larry Stout, ISSD
BJ Casali, ISSD
Diana Lamirand, Noblesville Ledger
Barry McNulty, Health Department
Larry Dawson, Envoy, Inc.
Al Patterson, Parks Department
John Elmer, Insurance
Sheena Randall, Human Resources Director
David Sanders, Humane Society
Velda Benitz, Spay-Neuter Clinic
Joy Slowitsky, Humane Society
Katherine Libretto, Humane Society
Myron, Frank, Spay-Neuter Clinic
Bruce Breeden, Cripe, Inc.
Frank Hindes, Cripe, Inc.
Larry Weiler, 11410 Meadowlark Circle
Kim Davidson, Humane Society

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